

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WILLIAM E. DUGAN, *et al.*,)
vs.)
Plaintiffs,) CIVIL ACTION
vs.) NO. 08 C 3487
BURT, INC., an Indiana corporation,) JUDGE MILTON I. SHADUR
Defendant.)

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on August 7, 2008, request this Court enter judgment against Defendant, BURT, INC., an Indiana corporation. In support of that Motion, Plaintiffs state:

1. On August 7, 2008, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for October 2007 forward. The Court retained jurisdiction to enter judgment upon submission by Defendant of the required contribution reports.

2. Defendant has submitted its monthly contribution report to the Plaintiffs identifying employees of the Defendant who performed work covered by the collective bargaining agreement, and the number of hours worked by or paid to those employees for the month of October 2007. Said monthly contribution report establishes that Defendant owes the Plaintiffs the amounts set forth below:

<u>Contributions</u>	
Welfare Fund	\$192.40
Pension Fund	\$153.60
Apprenticeship Fund	\$ 19.84
Vacation Fund	\$ 36.80

(See Affidavit of David S. Bodley).

3. Additionally, the following amounts are due for liquidated damages:

<u>Liquidated Damages</u>	
Welfare Fund	\$19.24
Pension Fund	\$15.36
Apprenticeship Fund	\$ 1.98
Vacation Fund	\$ 3.68

(Bodley Aff. Par. 5).

4. In addition, Plaintiffs have incurred costs totaling \$470.00 and reasonable attorneys' fees totaling \$1,187.50. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$2,100.40.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$2,100.40.

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com

I:\MOEJ\Burt, Inc\#21120\motion-judgment.cms.df.wpd

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 4th day of February 2009:

Mr. John F. Burt, Registered Agent/President
Burt, Inc.
11836 Woodmar Place
Cedar Lake, IN 46303

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com

I:\MOEJ\Burt, Inc\#21120\motion-judgment.cms.df.wpd